

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION  
DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKEY  
154682-0003SERIAL NO.  
90/006,197APPLICANT:  
Zvi ORBACHFILING DATE:  
January 17, 2002GROUP:  
2167

MAY 31 2002

PATENT &amp; TRADEMARK OFFICE U.S.A.

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

<i>SO</i>	AA	Expert Report of Dennis Allison (with Exhibits) (Softmat, LLC v. Beyond.com Corp.), November 30, 2000

RECEIVED

MAY 05 2002

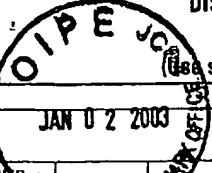
GROUP 3600

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EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	TRADEMARK OFFICE	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE

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AA	Certificate of Copyright Registration for "ANSWERING MACHINE" and registered source code, dated 1/15/80
AB	Certificate of Copyright Registration for "TELEPHONE TRANSFER II" and registered source code, dated 10/29/82
AC	Bob Davis, "Coleco, AT&T Unit to Form Joint Venture to Distribute Video Games by Telephone," <u>Wall Street Journal</u> , dated 9/7/83
AD	Alfred Glossbrenner, "How to Get Free Software: The Master Guide to Free Programs for Every Brand of Personal or Home Computer," St. Martin's Press, dated August 1984, pp. 341-346, 423

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<b>FORM PTO-1449</b>	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Docket No.: <b>154682/0003</b>	Application No.: <b>Not yet assigned</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Applicant: <b>ORBACH</b>	
(Use several sheets if necessary)		Filing Date: <b>Herewith</b>	Group: <b>3627</b> <b>Not yet assigned</b>

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS** (*Including Author, Title, Date, Pertinent Pages, Etc.*)

<i>af7</i>	BA	Elizabeth Ferrarini, "Direct Connections for Software Selections," <u>Business Computer Systems</u> , February 1984.
	BB	<u>Applesoft II Basic Programming Reference Manual</u> , Apple Computer, Inc., 1978, 1981, p. 121
	BC	"Source book: a computerized store," <u>Time</u> , July 9, 1979, at 62
	BD	Christopher Byron, "May the Source Be with You," <u>Time</u> , Oct. 26, 1981, at 63
	BE	Article, <u>Money</u> , Nov. 1982, p. 81
	BF	Alfred Glossbrenner, "A Source of Riches," <u>Science Digest</u> , Aug. 1983, pp. 24-25, 108-109
	BG	Alfred Glossbrenner, "Electronic Jackpot," <u>Science Digest</u> , Sept. 1983, pp. 22, 24-25
	BH	Sasha Lewis, <u>Plugging In – The Microcomputerist's Guide to Telecommunications</u> , Chilton 1984, pp. 66-71
	BI	Sam Fedida & Rex Malit, <u>Viewdata Revolution</u> , John Wiley & Sons 1979, pp. 105-106

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<i>9/27</i>	CP	Elizabeth Ferrarini, "Buy Software Via Modem," <u>Micro Communications</u> , May 1984, pp. 30-33		
	CQ	TeleSun brochure, 1983		
	CR	Rob Fixmer, "The Great Downloading Debate," <u>Link-up</u> , May 1984, pp. 22-23, 27		
	CS	"ABC Video Enterprises' Telefirst Product Has Boosters & Doubters," <u>Communications Daily</u> , May 1, 1984		
<i>9/27</i>	CT	Download newsletter, International Resource Development, Feb. 1985		
	CU	Bob Davis, "Coleco, AT&T Unit to Form Joint Venture to Distribute Video Games by Telephone," <u>Wall Street Journal</u> , undated		
<i>9/27</i>	CV	B.G. Yovovich, "Pulling the Plug on Electronic Publishing," <u>Advertising Age</u> , April 26, 1984		
	CW	Joanne Gamlin, "Software Directors Go On-Line," <u>Computer Merchandising</u> , Jan. 1984, pp. 114-125		
	CX	Mary-Beth Santarelli, "It's Not the Same Old 'Help' Anymore," <u>Software News</u> , April 1984, pp. 45-46		
<i>9/27</i>	CY	Richard Lewis, "Are You Getting Ready for Electronic Software Delivery?" <u>Software Retailing</u> , Feb. 1984, pp. 38-41		
<i>9/27</i>	CZ	"Xante to Distribute Software Electronically to Mass Merchandisers," <u>Micro Software Today</u> , Feb. 1984		
	DA	1/20/84 letter from SiSystems to Telephone Software Connection		
<i>9/27</i>	DB	1/3/84 letter and brochure, 1984 <i>Brochure only</i>		
	DC	Steven Burke, "Software Distribution: Smooth Going Now, Rocky Road Ahead" (undated)		
<i>9/27</i>	DD	"Romox is hoping to have system in 3,000 stores by end of '84," <u>Computer + Software News</u> , Nov. 21, 1983		
<i>9/27</i>	DE	Lisa Raleigh, "Bugs in electronic software distribution not yet worked out," <u>Micro Marketworld</u> , Nov. 28, 1983, pp. 63-65		
<i>9/27</i>	DF	Bulletin from International Resource Development: "Downloding & Teledelivery of Computer Software, Music & Video," Feb. 1986		
	DG	International Research Development document, 1983, p. 190		
	DH	International Resource Development document, 1983, p. 18		
<i>9/27</i>	DI	Bulletin from International Resource Development: "Downloding & Teledelivery of Computer Software, Music & Video," July 1983		
<i>9/27</i>	DJ	"Catalog of Publications," International Resource Development, June 1983		
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<i>9/27</i>	DL	Alfred Glossbrenner, <u>The Complete Handbook of Personal Computer Communications</u> , St. Martin's Press 1985, pp. 108-109		
	DM	Telecommunicating (undated), p. 152		
<i>9/27</i>	DN	Lawrence Kilman, "Poll: Adults believe children know more about computers," <u>Rocky Mountain News</u> , Oct. 16, 1985		
	DO	"Electronic Mall," <u>PC Communications</u> , Data Decisions September 1985, p. 9		
	DP	Elizabeth Horwitt, "Protecting Your Network Data," <u>Business Computer Systems</u> , July 1985, pp. 44-45, 48-53		
	DQ	"Shopping for software at home, by phone," <u>Entry</u> , Jan.-Feb. 1985, p. 30		
	DR	"Software Online," <u>Online Today</u> , Dec. 1984, p. 9		
<i>9/27</i>	DS	Reader Service articles, <u>Link-up</u> , Dec. 1984, pp. 55-56, 59-60		

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			Docket No.:	Application No.:
FORM PTO-1449			154682/0003	Not yet assigned
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Applicant: <b>ORBACH</b>	
(Use several sheets if necessary)			Filing Date: <b>Herewith</b>	Group: <b>3627</b> Not yet assigned
Q7	DT	"For Reference: Communications Software," <u>Business Computer Systems</u> , Nov. 1984, pp. 106, 111-112, 117		
Q7	DU	Jessica Paioff, "Communications," <u>InfoWorld</u> , Aug. 20, 1984, p. 36		
Q7	DV	"A Sampling of Available Graphics Programs," <u>Interface Age</u> , Oct. 1984, pp. 124-125		
	DW	Alfred Glossbrenner, "How to Get Free Software: The Master Guide to Free Programs for Every Brand of Personal or Home Computer," <u>St. Martin's Press</u> (undated), pp. 341-346, 422		
Q7	DX	Margaret P. Ezell, "In Search of the Consummate Time Manager," <u>Software Supermarket</u> , May 1984, pp. 41-44		
	DY	Ed Magnin, "Getting Hooked on Data Communications," <u>Nibble Magazine</u> , March 1984, pp. 110-111		
	DZ	Ed Magnin, "A Software Vending Machine," <u>Call A.P.P.L.E.</u> , March 1984, p. 29		
↓	EA	Ronald R. Cooke, "Now, Software is Distributed by Wire," <u>Software News</u> , Nov. 1983, p. 32		
	EB	Excerpts from <u>Data Communication Buyers' Guide 84</u> , (undated) pp. 17-19, 218-228, 257-258, 261-262, 739-740		
Q7	EC	List of software products, <u>Softalk</u> , Dec. 1983, pp. 214, 245-246, 269-270, 275-276, 281-282, 293-294, 325-326		
	ED	Art Ude, "The TRS Connection," <u>Call A.P.P.L.E.</u> , Nov. 1983, pp. 55-56		
	EE	"Voicemail Electronic Mail," <u>InCider</u> , Nov. 1983, p. 254		
	EF	Ed Magnin, "Telecommunications Adviser," <u>InCider</u> , Nov. 1983, pp. 128, 130		
	EG	Lisa B. Stahr, "Special Delivery Software," <u>PC World</u> , Oct. 1983, pp. 69-73		
	EH	"Shopper: Direct Delivery of Software Has New Appeal," <u>PLUMB</u> , vol. 1, no. 1, June 1983, p. 4		
	EI	Jessica Schwartz, "Lisa and Software Writers: No Love at First Bite?" <u>Tech Weekly</u> , May 12, 1983		
	EJ	"What's New This Month?" <u>InCider</u> , June 1983, p. 10		
	EK	Ed Magnin, "Telecommunications Adviser," <u>InCider</u> , June 1983, pp. 66-70		
	EL	"Downloader's Supermarket," <u>Popular Computing</u> , June 1983, p. 20		
	EM	Letters, <u>Peelings II</u> , vol. 4, no. 2, 1983, pp. 8-9		
	EN	William M. Bulkeley, "Electronic Software Delivery Threatens Mail and Store Sales," <u>Wall Street Journal</u> , May 6, 1983, p. 23		
	EO	Page from <u>Advertising Age</u> , April 11, 1983		
	EP	Digest of Information on Phototypesetting, vol. 5, no. 3, April 1983, pp. 1-4		
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↓	EU	Deborah de Peyster, "Marketing Moves," <u>ISO World</u> , March 7, 1983, p. 12		
	EV	Excerpt from printed document, with section titled "Transfer Rates and File Size" (undated, source unknown), p. 21		
Q7	EW	Excerpt from <u>Thunderblock Plus User's Guide</u> , Thunderware Inc. 1983		
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<i>997</i>	EZ	Duane Sandul, "High adventure for the yo[ung]," <u>The Times-Weekend</u> , Jan. 29, 1983, p. 24A		
	FA	Michael L. Weasner, Review of "Programmers Library," <u>Peelings II</u> , Dec. 1982, pp. 30 ff.		
	FB	John Mitchener, Review of "Telephone Transfer II," <u>Peelings II</u> , Nov. 1982, p. 51		
	FC	Bill Chalgren, "Connecting Your Computer to a Modem: Where to Start" (undated)		
<i>997</i>	FD	Val J. Golding, "The Telephone Software Connection: A Review (of Sorts)," <u>Call A.P.P.L.E.</u> , May 1980, p. 24		
<i>997</i>	FE	Utah State University Office of Computer Services Newsletter, January 1983		
	FF	Leighton Paul, "Modifying Your Monitor Program," <u>Maple Orchard</u> (undated), pp. 35-36		
<i>997</i>	FG	Stan Miastkowski et al., "Modems: Hooking Your Computer to the World," <u>Popular Computing</u> , Dec. 1982, pp. 111-118		
	FH	List of Software from <u>Softalk</u> , Dec. 1982, pp. 155-156, 171-174, 188-195		
	FI	Page from <u>Microcomputing</u> , Dec. 1982		
	FJ	"Telephone Transfer II," <u>Call A.P.P.L.E.</u> , Nov. 1982, p. 76		
	FK	Excerpt from <u>Softalk</u> , Nov. 1982, p. 33		
	FL	Excerpt from <u>Business Computer Systems</u> , Oct. 1982, pp. 98-109		
	FM	"Delivery Over The Phone," <u>Data Communications</u> , Oct. 1982		
	FN	Athol H. Cohen, "Modems and the Micromodem II," <u>Maple Orchard</u> , pp. 22-24, 27		
	FO	Excerpts from <u>Softalk</u> , Sept. 1982, pp. 137-138, 168-170		
	FP	"Software Via Telephone," <u>New Products</u> , <u>CCN</u> , September/October 1982, p. 68		
	FQ	Susan Chace, "Makers Transform the Ways Computer Programs are Sold," <u>Wall St. Journal</u> , Aug. 26, 1982, p. 25		
	FR	Excerpts from <u>Softalk</u> , August 1982		
	FS	Leighton Paul, "Patching DOS the Easy Way," <u>Call—APPLE</u> , July 1982, p. 49		
	FT	Bernard S. Husbands, "Electronic Mail System Enhances Delphi Method," <u>Journal of Business Forecasting</u> , Summer 1982, pp. 24-27		
	FU	"Delivery In Minutes," <u>Popular Computing</u> , May 1982, p. 26		
<i>997</i>	FV	"Dial Up Software Service," <u>Radio &amp; Records</u> , April 16, 1982		
	FW	Ed Moenin, <u>Letter to the Editor</u> , <u>Apple Bits</u> (undated)		
	FX	Guest Commentary, <u>Apple Bits</u> (undated)		
<i>997</i>	FY	"Let Your Modern Do the Talking," <u>Byte</u> , March 1982, p. 477		
<i>997</i>	FZ	Excerpt from <u>Microcomputing</u> , February 1982, p. 165		
<i>997</i>	GA	"New Electronic Mail Service On-Line," <u>Apple Bits</u> (undated), pp. 18-19		
<i>997</i>	GB	Excerpts from <u>Arithmetic Teacher</u> , January 1982		
	GC	Steve Ditlea, "A Guide to Personal Computers," <u>New York</u> , December 14, 1981, pp. 46 ff.		
	GD	Theron Fuller, "A Line on Friendly Utilities," <u>Softalk</u> , November 1981, p. 95		
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		GROUP: 2167 3627

## U.S. PATENT DOCUMENTS

#### FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

AA	Complaint for Patent Infringement (Softmat, LLC v. Beyond.com Corp.), July 7, 2000
AB	Defendant Beyond.com Corp.'s Answer (Softmat, LLC v. Beyond.com Corp.), August 30, 2000
AC	Deposition Transcript of Edgar J. Magnin (with Exhibits) (Softmat, LLC v. Beyond.com Corp.), November 9, 2000
AD	Deposition Transcript of Leighton Lombard Paul (with Exhibits) (Softmat, LLC v. Beyond.com Corp.), November 27, 2000

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